REMARKS

Claims 1-21 are pending in this application. By this Amendment, claims 1 and 19-21 are amended.

Claim 20 was rejected under 35 U.S.C. §101. By this Amendment, claim 20 has been amended in view of the Examiner's helpful comments. It is respectfully requested that the rejection be withdrawn.

Claims 1-4, 9 and 18-21 were rejected under 35 U.S.C. §102(b) or, in the alternative, under 35 U.S.C. §103(a) over JP 06-018293 (JP'293) in view of Nishina, U.S. Patent No. 6,836,712. The rejections are respectfully traversed.

JP'293 and Nishina fail to disclose or suggest a vehicle drive control apparatus with a controller that samples variable quantities, that indicate a status of a vehicle that changes with a running of the vehicle, at different sampling cycles for each of a plurality of storage items; and records the variable quantities successively in each of the buffers as storage data for each of the different sampling cycles, as recited in claim 1 and as similarly recited in claims 19-21.

JP'293 discloses a recording method, wherein measurement data is written into a ring buffer memory 5 at predetermined intervals. JP'293 then determines whether the measurement data satisfies a predetermined condition before transferring the measurement data from the ring buffer memory 5 to a record means 3.

However, JP'293 fails to provide any disclosure as to how variable quantities are sampled for each of a plurality of storage items. JP'293 only discloses sampling variable quantities for a single storage item. JP'293 thus fails to disclose or suggest recording variable quantities successively in each of the buffers as storage data for each of the different sampling cycles, as recited in claim 1 and as similarly recited in claims 19-21.

Nishina fails to overcome the deficiencies of JP'293 because Nishina only discloses a method for discriminating between different types of abnormalities. Nishina fails to provide any disclosure with regard to storing data in buffers.

Accordingly, JP'293 and Nishina fail to disclose or suggest all of the features recited in claims 1 and 19-21, as well as the additional features recited in the dependent claims thereof. It is respectfully requested that the rejections be withdrawn.

Claims 1 and 18-21 were rejected under 35 U.S.C. §102(b) over Johnson, U.S. Patent No. 5,452,446. The rejection is respectfully traversed.

Johnson fails to disclose a vehicle drive control apparatus with a controller that samples variable quantities, that indicate a status of a vehicle that changes with a running of the vehicle, at different sampling cycles for each of a plurality of storage items; and records the variable quantities successively in each of the buffers as storage data for each of the different sampling cycles, as recited in claim 1 and as similarly recited in claims 19-21.

Johnson discloses a method for managing dynamic vehicle data using a fixed interval data structure 1. One or a plurality of data sources 14 create data at various times, rates and latencies (col. 4, lines 34-35). The store data manager 19 causes each data entry to be entered into a fixed interval data structure 1 at a time position at the current time minus the latency of the data source (col. 4, lines 37-40). Data thus flows from the data sources 14 into the fixed interval data structure 1 with data entries occurring at random times (col. 4, lines 40-43).

Johnson thus suffers deficiencies as identified in paragraph [0008] of Applicants' specification in that a region for recording data is reserved in the fixed interval data structure 1, even though there is no need to record data. Because it uses the fixed interval data structure 1, Johnson fails to sample variable quantities at different sampling cycles or record variable quantities successively in each of the buffers for each of the different sampling cycles. Johnson instead samples and records variable quantities at the same sampling interval in the fixed interval data structure 1.

According, Johnson fails to disclose all of the features recited in claims 1 and 19-21, as well as the additional features recited in claim 18. It is respectfully requested that the rejection be withdrawn.

Claims 2-4 and 9 were rejected under 35 U.S.C. §103(a) over Johnson in view of Chene et al. (Chene), U.S. Patent No. 6,356,824. The rejection is respectfully traversed.

Chene fails to overcome the deficiencies of Johnson because Chene fails to record variable quantities, as recited in claim 1. Johnson and Chene thus fail to disclose or suggest all of the features recited in claim 1, as well as the additional features recited in claims 2-4 and 9. It is respectfully requested that the rejection be withdrawn.

Applicants appreciate the indication of allowable subject matter in claims 5-8 and 10-17. For the reasons discussed above, all of claims 1-21 are allowable.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-21 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

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